



Promoting the wise use of land
Helping build great communities

C-1
COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Planning Commission

MEETING DATE November 10, 2005	CONTACT/PHONE Andrea Miller, 781-4171	APPLICANT Paso Robles Vineyard	FILE NO. AGP2004-00022						
SUBJECT Proposal by Paso Robles Vineyard to establish an agricultural preserve to enable the applicant to enter into a land conservation contract. The site consists of approximately 808 acres within an 851 acre Agricultural Cluster Subdivision. The site is located in the Agricultural land use category along Linne Road adjacent to the City of Paso Robles. The site is in the El Pomar-Estrella and Salinas River planning areas.									
RECOMMENDED ACTION Recommend approval of this request to establish an agricultural preserve to the Board of Supervisors as follows: <table><tr><td>Preserve Designation:</td><td>El Pomar Agricultural Preserve No. 84</td></tr><tr><td>Minimum Parcel Size :</td><td>80 Acres</td></tr><tr><td>Minimum Term of Contract:</td><td>10 Years</td></tr></table>				Preserve Designation:	El Pomar Agricultural Preserve No. 84	Minimum Parcel Size :	80 Acres	Minimum Term of Contract:	10 Years
Preserve Designation:	El Pomar Agricultural Preserve No. 84								
Minimum Parcel Size :	80 Acres								
Minimum Term of Contract:	10 Years								
ENVIRONMENTAL DETERMINATION Categorical Exemption (Class 17) ED05-026									
LAND USE CATEGORY Agriculture and Residential Rural	COMBINING DESIGNATION Flood Hazard and Airport Review Area	ASSESSOR PARCEL NUMBER 020-151-003, 020-161-005, 020-211-006, 011, 020-271-025, 026, 026-211-034	SUPERVISOR DISTRICT(S) 1						
PLANNING AREA STANDARDS: None Applicable		LAND USE ORDINANCE STANDARDS: Section 22.22.040C(2) – Minimum parcel size for new agricultural preserves							
EXISTING USES: Vineyard and Grassland									
SURROUNDING LAND USE CATEGORIES AND USES: <table><tr><td><i>North:</i> Agriculture/ Dry Farm</td><td><i>East:</i> Agriculture/ Dry Farm</td></tr><tr><td><i>South:</i> Agriculture/ Rural Residences</td><td><i>West:</i> Agriculture/ Dry Farm</td></tr></table>				<i>North:</i> Agriculture/ Dry Farm	<i>East:</i> Agriculture/ Dry Farm	<i>South:</i> Agriculture/ Rural Residences	<i>West:</i> Agriculture/ Dry Farm		
<i>North:</i> Agriculture/ Dry Farm	<i>East:</i> Agriculture/ Dry Farm								
<i>South:</i> Agriculture/ Rural Residences	<i>West:</i> Agriculture/ Dry Farm								
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: none									
TOPOGRAPHY: Gently Rolling Hills with a few steep slopes		VEGETATION: Native Grasses							
PROPOSED SERVICES: None required		ACCEPTANCE DATE: July 14, 2005							
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER - SAN LUIS OBISPO, CALIFORNIA 93408 (805) 781-5600 FAX: (805) 781-1242									

C-7

PROJECT REVIEW

Background

The landowner filed this application to satisfy the Inland Land Use Ordinance requirement for Agricultural Lands Clustering (Section 22.22.150) and the related conditions of approval for Tract Map 2526 / Development Plan S990133U. The tentative tract map for the subject property was approved by the Planning Commission in the fall of 2001. When the conditions of approval are satisfied the landowner will be able to record a final map on the property creating 42 clustered residential lots of approximately 1 acre each and open space parcels totaling approximately 808 acres.

The Board of Supervisors approved the Agricultural Land Clustering provisions of the Inland Land Use Ordinance to encourage the preservation of agricultural lands in the county. Part of the policy objective is to allow for the consolidation of smaller parcels (than would normally be allowed) into a portion of the site that provides better access, closer proximity to public roads, more efficient provision of public services and also protects and preserves areas that are more productive from an agricultural standpoint.

The land owner is required to place the agricultural portion of the subdivision into a Williamson Act Agricultural Preserve and Land Conservation Contract, and also to either transfer the open space land to a non-profit entity or enter into a permanent agricultural open-space easement.

Site and Area Characteristics

The following chart outlines the distributions of land uses within the agricultural cluster subdivision.

Tract 2526	
Parent Parcel	851 acres
O/S (Subject to this application)	808 acres
Residential Lots and Roads	43 acres

This application includes only 808 acres of the Tract since the remaining portion will be used for residential land uses and infrastructure. Of the 808 acres 527 acres are currently planted in irrigated vineyards. A 360 gallon per minute well serves the vineyard. Most of the remaining 281 acres are well suited as rangeland but are not used for cattle grazing. The residential portion of the agricultural cluster development consists of 43 acres and is not subject to this application.

The following table shows the Natural Resources Conservation Service soils rating of the site:

Land Capability Class		Irrigated Crop Suitability	Rangeland Suitability	Acres entering into contract
If Irrigated	If Non-Irrigated			
I	IV	Well-Suited	Well-Suited	2.2
II	IV	Suited	Well-Suited	126.4
III	IV	Suited	Well-Suited	105.2
IV	IV	Suited	Suited	522.1
NA	VII	Moderately-Suited	Poorly-Suited	41.7
NA	VIII	Moderately-Suited	Poorly-Suited	10.4
			Total	808

C-3

Exhibit A shows the location, topography, and land use designations of the site and adjacent properties. The closest agricultural preserve is adjacent to and west of the project site

Compliance with the Agricultural Preserve Rules of Procedure

The appropriate minimum parcel size for the site's combination of irrigated vineyard and grazing land is 80 acres as shown in the following calculation, based on the mixed use procedures in Appendix E of the Rules of Procedure:

Agricultural Use/Land Capability	Agricultural Use	Acres	Minimum Parcel Size	Fractional Proportion
Irrigated Class II, III & IV Soils	Irrigated Crops	527	40	13.2
Non-Irrigated Class IV Soils	Grazing	281	160	1.8
Total				14.9

The property size of 808 acres divided by 14.9, the total fractional proportions, is 54.2, which is rounded up to an 80 acre minimum parcel size category in Table 1 of the Rules of Procedure.

The appropriate minimum term of contract is 10 years since the property is located next to an Urban Reserve Line.

Agricultural Preserve Review Committee

The Review Committee meeting was held from 1:30 to 4:00 p.m. on September 19, 2005, at the U.C. Cooperative Extension auditorium in San Luis Obispo. The agenda included one request to expand an existing adjacent agricultural preserve to enable an applicant to enter into a land conservation contract; one request to establish a new agricultural preserve to enable an applicant to enter into a land conservation contract; two requests to expand an existing agricultural preserve to enable an applicant to rescind an existing contract and enter into new expanded land conservation contracts; two requests to rescind a single contract and simultaneously enter into new contracts; a correction of the minimum parcel size provision for a previously approved preserve and contract amendment; a partial notice of nonrenewal for Carl Linn; and a discussion of the Tompkins Property Notice of Proposed Public Acquisition of Land in Agricultural Preserve and Contract.

Voting members of the Review Committee present were Don Warden (Agricultural Liason Committee), Wayne Jensen (Farm Advisor), Hugh Pitts (Farm Bureau), Ed Carson (Land Conservancy of San Luis Obispo County), Robert M. Sparling (Public-at-Large Member, was absent for item 3, arriving for item 4), Lynda Auchinachie (County Agricultural Commissioner's Office), Sara Sylwester (County Assessor), and Warren Hoag (County Planning and Building Department).

Absent from the meeting were representatives of the Farm Service Agency, Cattlemen's Association, and Environmental Organization Member. The meeting was chaired by Warren Hoag. Staff reports were presented to the committee by Terry Wahler and Andrea Miller of the Planning and Building Department.

C-4

The applicant's representative Tom Madden was present for this item. Staff described the applicant's request and summarized the staff report including the background for the agricultural cluster subdivision that required the agricultural portion of the property to be placed in an agricultural preserve and land conservation contract prior to recordation of the final map. Staff also outlined the agricultural use and the suitability of the soils for the current irrigated vineyard. Ed Carson inquired as to the further subdivision potential for the agricultural portion of the tract. Warren Hoag explained that the property could not be further subdivided so long as the clustered lots existed. Tom Madden clarified that the 808 acre open space and agricultural parcel also included an open space easement and a Kit Fox habitat easement agreement, further encumbering the property. Review Committee members further discussed the site, the proposal and the agricultural uses.

Following the discussion, Tom Rice moved that the committee recommend approval of the request. This motion was seconded by Don Warden and approved by the Review Committee 9 to 0.

RECOMMENDATIONS

Recommend approval of this request to establish an agricultural preserve to the Board of Supervisors as follows:

Preserve Designation:	El Pomar Agricultural Preserve No. 84
Minimum Parcel Size:	80 Acres
Minimum Term of Contract:	10 Years

FINDINGS

- A. The proposed establishment of this agricultural preserve is consistent with the San Luis Obispo County General Plan, including the Land Use Element and the Agricultural and Open Space Element, and the county's Rules of Procedure to Implement the California Land Conservation Act of 1965.
- B. The proposed establishment of this agricultural preserve is appropriate and consistent with the character of the surrounding area.

Report prepared by Andrea Miller and Terry Wahler
and reviewed by Warren Hoag, Division Manager
Agricultural Preserve Program

C-5

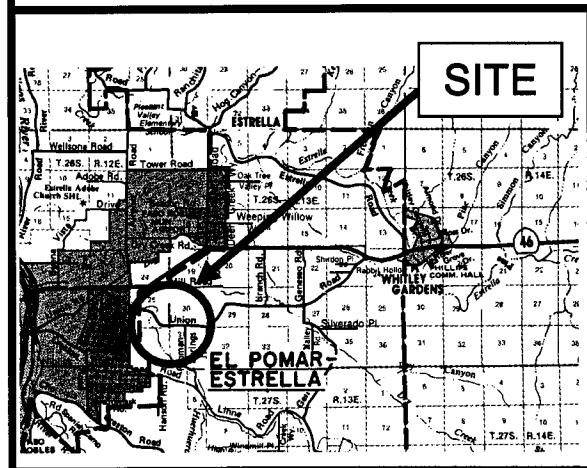
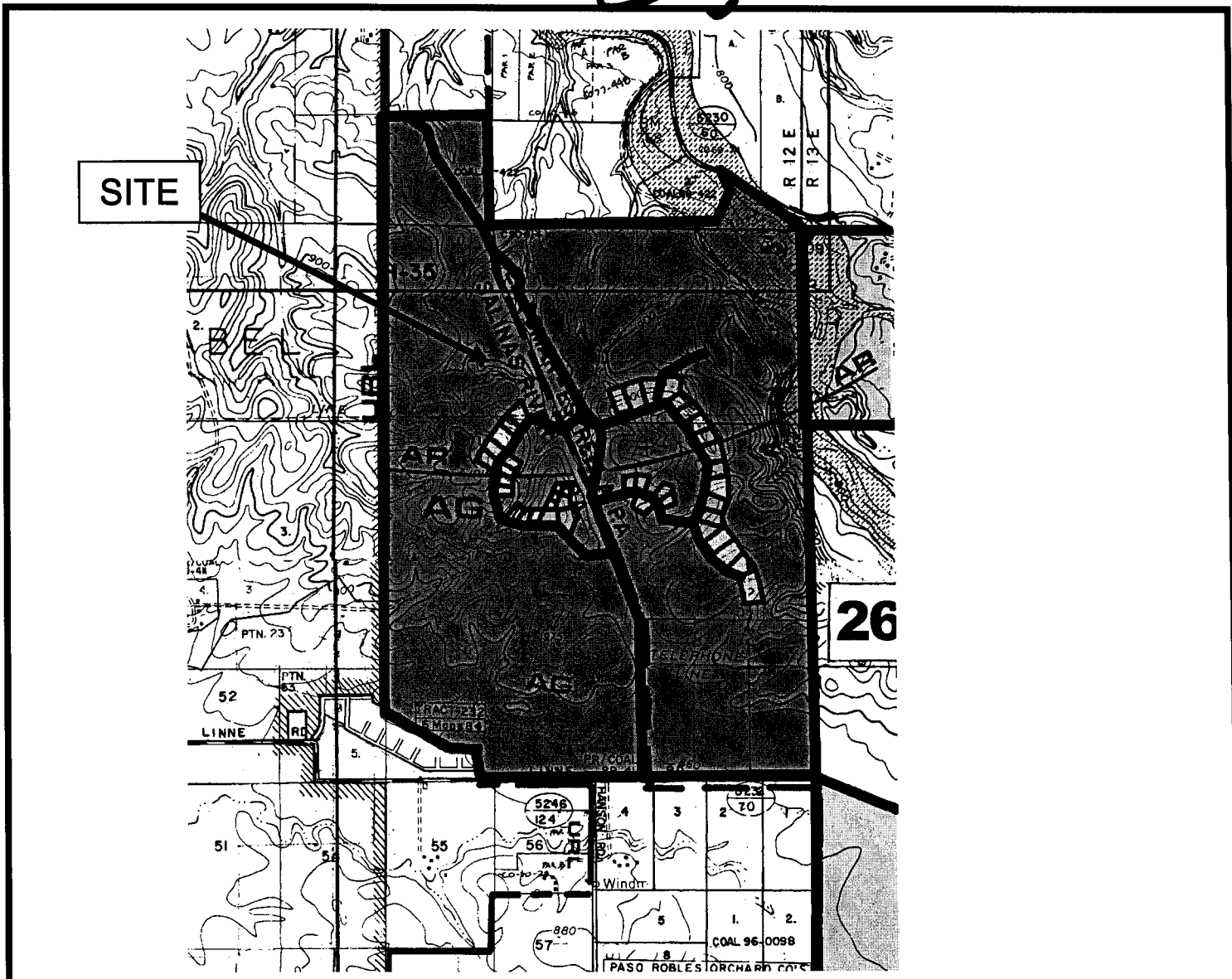


EXHIBIT A: El Pomar Agricultural Preserve No. 84




-  Area to be added to Preserve
-  Surrounding Land in Preserve and Contract
-  Agricultural Cluster

EXHIBIT A

Establishing an Agricultural Preserve
 File No. AGP2004-00022 – Paso Robles Vineyard
 Minimum Parcel Size: 80 acres
 Minimum Term of Contract: 10 years
 Resolution No. Date: